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21 *Class Counsel for Plaintiffs and the Settlement Class*

22 **UNITED STATES DISTRICT COURT**  
23 **NORTHERN DISTRICT OF CALIFORNIA**  
24 **OAKLAND DIVISION**

25 MARTIN SCHNEIDER, SARAH  
26 DEIGERT, THERESA GAMAGE, and  
27 NADIA PARIKKA, Individually and on  
28 Behalf of All Others Similarly Situated,

29 Plaintiffs,

30 v.

31 CHIPOTLE MEXICAN GRILL, INC., a  
32 Delaware Corporation,

33 Defendant.

Hartley M. K. West (SBN 191609)  
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Case No. 4:16-cv-02200-HSG (KAW)

**PLAINTIFFS' NOTICE OF FILING OF  
POST-DISTRIBUTION ACCOUNTING**

Judge: Hon. Haywood S. Gilliam, Jr.

No Hearing Necessary

1 PLEASE TAKE NOTICE that, pursuant to Section VIII of the Settlement Agreement  
2 and Release, filed September 11, 2019 (ECF No. 205-2), and the Procedural Guidance for Class  
3 Action Settlements, Plaintiffs Martin Schneider, Sarah Deigert, Theresa Gamage, and Nadia  
4 Parikka hereby file as Attachment A the Declaration of Ryan Chumley of Angeion Group, LLC  
5 re: Post-Distribution Accounting, dated July 1, 2021.

6  
7 Respectfully submitted,

8 **KAPLAN FOX & KILSHEIMER LLP**

9 Dated: July 2, 2021

By: /s/ Mario M. Choi  
Mario M. Choi

10  
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25 *Attorneys for Plaintiffs*  
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# **Attachment A**

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

MARTIN SCHNEIDER, SARAH DEIGERT,  
THERESA GAMAGE, and NADIA PARIKKA,  
Individually and on Behalf of All Others  
Similarly Situated,

*Plaintiffs,*

v.

CHIPOTLE MEXICAN GRILL, INC., a  
Delaware Corporation,

*Defendant.*

Case No. 4:16-cv-02200-HSG (KAW)

**DECLARATION OF RYAN  
CHUMLEY OF ANGEION GROUP,  
LLC RE: POST-DISTRIBUTION  
ACCOUNTING**

Judge: Hon. Haywood S. Gilliam, Jr.

1 I, Ryan Chumley, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that  
 2 the following is true and correct:

3 1. I am a project manager at the class action notice and settlement administration firm,  
 4 Angeion Group, LLC (“Angeion”). I am fully familiar with the facts contained herein based upon  
 5 my personal knowledge.

6 2. On November 18, 2020, the Court granted final approval to the Settlement. Pursuant  
 7 to the Settlement, a Post-Distribution Accounting report must be filed with the Court and posted on  
 8 the Settlement Website within 21 days after the distribution of Settlement Awards.

9 3. On June 16, 2021, Angeion sent settlement payments to the claimants who submitted  
 10 valid claims. A copy of the text of the payment letter is attached hereto as Exhibit A.

11 4. Pursuant to the United States District Court, Northern District of California’s  
 12 Procedural Guidance for Class Action Settlement, Angeion submits the following Post Distribution  
 13 Accounting Report:

SETTLEMENT DETAILS	
Total Settlement Fund	Gross Settlement Fund: \$6,500,000.00

NOTICE DETAILS	
Methods of Notice	Media Notice <ul style="list-style-type: none"> <li>▪ Digital Banner Ads</li> <li>▪ Print Publications</li> </ul>
Total Number of Digital Banner Ad Impressions Served	59,598,000
Total Reach Percentage	70.69%

<b>CLAIM FORM SUBMISSIONS, EXCLUSIONS AND OBJECTIONS</b>	
Total Number of Claim Forms Submitted	251,119 Claim Form Submissions <ul style="list-style-type: none"> <li>▪ 250,487 Online submissions</li> <li>▪ 632 Mailed submissions</li> </ul>
Total Number of Valid Claim Forms Submitted and Approved	144,042
Total Number of Opt-Outs Submitted	1
Total Number of Objections Submitted	0 <sup>1</sup>

<b>SETTLEMENT PAYMENT DETAILS</b>	
Method(s) of Payment to Class Members	Physical Checks sent by the United States Postal Service (“USPS”) first-class mail, postage prepaid; Payments via PayPal
Total Number of Cash Payments Issued to Class Members	144,042
Total Number of Checks Issued	89,493
Total Number of PayPal Payments Issued	54,549
Total Cash Amount Distributed to Class Members	\$2,845,276.00
Average Recovery Per Claimant	The deadline for class members to cash settlement payments is 10/15/2021, therefore this average number is not known at this time. If all settlement payments are cashed, the average payment per claimant will be \$19.75.
Median Recovery Per Claimant	The deadline for class members to cash settlement payments is 10/15/2021, therefore this median number is not known at this time. If all settlement payments are cashed, the median payment per

<sup>1</sup> Angeion did not receive any objections from Class Members. Angeion is aware that the Court received one objection (concerning Attorneys’ Fees) and Class Counsel received several letters concerning the Settlement.

	claimant will be \$20.00.
Total Number of Payments Issued to Class Members and Not Cashed/Cleared	The deadline for class members to cash settlement payments is 10/15/2021, therefore this total number is not known at this time. As of June 30 2021, 55,275 payments have not been cashed.
Total Value of Payments Not Cashed/Cleared	The deadline for class members to cash settlement payments is 10/15/2021, therefore this total number is not known at this time. As of June 30, 2021, payments worth a total of \$787,704.00 have not been cashed.
Smallest Payment Amount	\$4.00
Largest Payment Amount	\$60.00
Total Amount Available to Distribute to Cy Pres Recipients <sup>2</sup>	\$502,183.38 (as of 6/30/2021)
Total Administration Costs	\$565,984.34 (Total as of 6/30/2021)
Total Attorneys' Fees and Costs	\$2,586,556.28
Percentage of Attorneys' Fees and Costs of the Settlement Fund	39.793%

I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: July 1, 2021

*Ryan Chumley*

RYAN CHUMLEY

<sup>2</sup> The Court-approved Cy Pres recipients are Public Justice and Public Counsel. Each will receive 50% of any remaining funds.

# **Exhibit A**



Payee Name: «Name»

Claim Number: [00-ID]  
Check Number: [Check Number]  
Check Date: June 16, 2021  
Check Amount: [Check Amount]

Enclosed is your settlement payment as a Settlement Class Member in the class action lawsuit *Martin Schneider et al. v. Chipotle Mexican Grill Inc.*, in the United States District Court, Northern District of California, Case No. 16-cv-02200-HSG. Your portion of the settlement proceeds has been determined pursuant to the terms of the *Settlement Agreement and Release* and the *Order Granting Motion for Final Settlement Approval, and Granting in Part and Denying in Part Attorneys' Fees, Costs, and Incentive Award*.

If you have questions regarding the tax treatment of this distribution, please consult your tax advisor. We cannot provide individual tax advice regarding this distribution. Please be sure to cash this check immediately. **This check will be void 120 days after the date of issue.** Should you need further assistance please email us at [info@ChipotleNonGMOCClassAction.com](mailto:info@ChipotleNonGMOCClassAction.com).